

ORDINANCE NO. 46-835

AN ORDINANCE OF THE CITY OF WICHITA PERTAINING TO THE CONTINUING OF EXISTENCE AND ABOLITION OF BOARDS, AGENCIES, AND COMMISSIONS; AMENDING SECTIONS 2.12.1200 AND 2.12.1201 OF THE CODE OF THE CITY OF WICHITA; AND REPEALING THE ORIGINAL OF SAID SECTIONS.

WHEREAS, by City of Wichita Ordinance no. 45-013A, the Governing Body expressed its intent to abolish certain boards, agencies, and commissions of the City, but reserving the right to continue in existence or reestablish any of the boards, agencies, or commissions subject to abolition; and

WHEREAS, the Governing Body thereafter has extended the existence of certain boards, agencies, and commissions by ordinance amendment, and hereby expresses its intent that all boards, agencies, and commissions continued in existence by Ordinance no. 45-346 are deemed to be continued in existence and reestablished, and the powers, duties, and functions of said boards, agencies and commissions confirmed, until the effective date of the instant ordinance, notwithstanding the provisions of Ordinance no. 45-346, except for any individual board or commission reestablished or abolished subsequent to the effective date of Ordinance no. 45-346;

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

SECTION 1. Section 2.12.1200 of the code of the City of Wichita, Kansas, is hereby amended to read as follows:

Section 2.12.1200. Abolishment of boards, agencies and commissions. Except for boards, agencies and commissions created by state statute, the Wichita employees retirement board of trustees, the police and fire retirement board of trustees, and as provided herein, all

boards, agencies and commissions of the City of Wichita established and created by charter ordinance or ordinary ordinance in the Code of the City of Wichita, Kansas, shall be and are abolished on June 30, 2007.

SECTION 2. Section 2.12.1201 of the code of the City of Wichita, Kansas, is hereby amended to read as follows:

Section 2.12.1201. Continuation of existence after June 30, 2007.

(a) For the purposes of concluding its affairs, each board, agency or commission abolished under Section 2.12.1200 shall continue in existence until July 31, 2007, next succeeding the date of abolition of such board, agency or commission. During this period of time and notwithstanding the abolition of such board, agency or commission hereunder, each such board, agency or commission shall exercise all of the powers, duties and functions of such board, agency or commission. Upon the expiration of this period on the next succeeding July 31, 2007, each such board, agency or commission shall cease all activities and shall have no further authority to act unless such board, agency or commission is continued or reestablished in accordance with subsection (b). No board, agency or commission abolished and not continued or reestablished shall have less than the period of time provided for in this subsection to conclude its affairs.

(b) Any board, agency or commission subject to abolition under this ordinance may be continued in existence or reestablished by act of the governing body, but no such continuance or reestablishment shall be for a period of time in excess of two years. No new board, agency or commission which has the same or substantially the same jurisdiction or purpose as any board, agency or commission subject to abolition under Section 2.12.1200 shall be created, established or organized by act of the governing body to exist for a period of time in excess of two years.

Each such board, agency or commission continued or reestablished and each such new board, agency or commission created, established or organized, shall be subject to abolition under the ordinance codified in Sections 2.12.1200 and 2.12.1201.

SECTION 3. The originals of Sections 2.12.1200 and 2.12.1201 of the Code of the City of Wichita, Kansas, are hereby repealed

SECTION 4. This Ordinance shall be included in the Code of the City of Wichita, Kansas, and shall be effective upon its passage and publication once in the official city newspaper.

PASSED by the governing body of the City of Wichita, Kansas, this date 20th day of December, 2005.

Carlos Mayans, Mayor

ATTEST:

Karen Sublett, City Clerk

Approved as to form:

Gary E. Rebenstorf, City Attorney